

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF EMERY COUNTY COMMISSIONERS
HELD IN THE EMERY COUNTY COURTHOUSE

NOVEMBER 12, 2013

Present at the meeting was Commission Chairman Jeff Horrocks, Commissioner JR Nelson, Commissioner Ethan Migliori, Attorney David Blackwell, Sheriff Greg Funk, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

Consent Agenda

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS AND DISPOSITIONS.

The Warrant Check Edit List # 226067 through and including #227184 was presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
80-13	Rim Clamp tire changer Highway	\$6,367.00
81-13	Tire wheel balancer Highway	3,735.00
82-13	(2) Tasers Sheriff	1,998.90
83-13	Refrigerator converts to freezer Senior Citizen Center/CD	1,299.90
84-13	Cellular blinds with installation Senior Citizen Center/GR	907.64
85-13	(2) Samsung 40" Television (1) Samsung Galaxy Tablet (1) I Pad 2 Tablet Travel Bureau/Advertising	2,334.74

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86-13	(4) Dell Computers	
	(1) Dell Server	
	(7) ScanSnap scanners	
	Archives/Donation funds	10,508.59

Dispositions were presented for the following:

580-4787 video player, 580-4788 TV cabinet, 580-4789 Receiver/monitor, 580-2290 desk chair, 580-5900 video player, 580-5901 television, 580-4770 video player, 580-8613 heavy duty vacuum, 580-3872 paperback rack, 580-3871 paperback rack

(2)

APPROVAL TO HIRE GARY PRICE ASA FULL TIME WEED & MOSQUITO OPERATOR WITH BENEFITS AT WAGE GRADE 14.

(3)

APPROVAL OF A 3% WAGE INCREASE FOR CAMILLE THOMAS FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD.

(4)

APPROVAL OF COMMISSION MEETING MINUTES DATED OCTOBER 22, 2013.

Commissioner JR Nelson made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

Discussion Agenda

(1)

ITEMS PULLED FROM CONSENT AGENDA

None

(2)

EMERY COUNTY EMPLOYEE OF THE MONTH

Commissioner Ethan Migliori made a motion to table this item until the next meeting. The motion was seconded by Commissioner JR Nelson. The motion passed.

(3)

DISCUSSION AND APPROVAL TO PROCEED WITH LANDFILL TIPPAGE FEE ORDINANCE

Road Supervisor, Wayde Nielsen discussed issues with regard to the Landfill Tippage Fee Resolution. He stated that Emery County has a tippage fee resolution in place, however it has become lax and has not being utilized for a few years. Contractors are supposed to pay a tippage fee while the citizens can dump for free. Wayde suggested some changes to the existing fee schedule that would more firmly identify the contractor vs the citizen making the resolution clearer to the users. He also suggested lowering the fee. Commissioner Migliori stated that the contractors need to be made aware of the new fees. Commissioner Migliori asked Wayde when he would like to see the new fee implemented? Wayde indicated that the first of the year would be a good time to implement new fees. Commissioner Horrocks stated that the Landfill needs to make some changes so as to make it more self sustainable. Attorney David Blackwell indicated that he could have a rough draft prepared for the next Commission Meeting. He suggested setting a date for a Public Hearing in December giving the process time to allow for publication. Commissioner JR Nelson made a motion to approve proceeding with amending the Landfill Tippage Fee Resolution and set a Public Hearing for December 17, 2013 to allow for public comment. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(4)

CONSIDERATION AND APPROVAL OF RESOLUTION APPOINTING EMERY COUNTY'S OFFICIAL REPRESENTATIVE AND ALTERNATE FOR THE UTAH COUNTIES INDEMNITY POOL MEMBERSHIP MEETING.

Commissioner Horrocks indicated that Mary Huntington as Personnel Director and point person for the county's insurance has been the representative for the several years. Attorney David Blackwell was the alternate. Mr. Blackwell will not be able to be the alternate this year as he is chairman of the Litigation Committee and is on the UCIP board. Leslie Bolinder as the Administrative Assistant to the Commissioners has been suggested as the alternate. Commissioner Ethan Migliori made a motion to approve Resolution 11-12-13 appointing Mary Huntington as the official Emery County representative for the Utah Counties Indemnity Pool Membership Meeting and Leslie Bolinder as an alternate. The motion was seconded by Commissioner JR Nelson. The motion passed.

(5)

CONSIDERATION AND APPROVAL OF TAX ABATEMENT FOR CLEVELAND CITY,
PARCEL #01-050C-0005

Kris Bell, Assessor requested approval of tax abatement for Cleveland City. During the 2012 tax year this property was bought by Cleveland City. On January 1, 2013 it should have been classed as exempt property instead of active, but a Greenbelt rollback tax was owing from the previous owner. So it stayed an active account until the special tax was cleared from the record, which was paid in August of 2013. It is the recommendation that the taxes be abated for the property as it is by all technical purposes an exempted parcel. Tax dollars due before the adjustment for 2013 \$85.19. Tax dollars due after the adjustment for 2013 \$ 0.00. Commissioner JR Nelson made a motion to approve of tax abatement for Cleveland City, Parcel #01-050C-0005 as recommended by the Assessor. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(6)

CONSIDERATION AND APPROVAL OF TAX ABATEMENT FOR DEBBIE RICH,
PARCEL #05-0077-0002

Kris Bell, Assessor requested approval of tax abatement for Debbie Rich. This would be a Commissioner's adjustment. Debbie's 14 acres are being State Assessed as a gravel pit. The total parcel's acreage is 64.16 acres. We need to remove the 14 acres from being locally assessed. Commissioner JR Nelson made a motion to approve of tax abatement for Debbie Rich, Parcel #05-0077-0002. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(7)

CONSIDERATION AND APPROVAL OF LICENSE AGREEMENT BETWEEN EMERY
COUNTY AND ANDALEX RESOURCES CORPORATION FOR SOUTH DEBRIS BASIN.

Jonathan Johansen, Johansen & Tuttle Engineering explained the license agreement between Emery County and Andalex Resources Corporation for South Debris Basin. This will allow J&T Engineering to do the surveys for the project. Commissioner JR Nelson made a motion to approve the license agreement between Emery County and Andalex Resources Corporation for South Debris Basin. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(8)

CONSIDERATION AND APPROVAL OF AMBULANCE WRITE-OFF REQUEST FOR MARIN CAMPBELL.

The service was provided in 2009. No attempt has been made to pay the bill. Commissioner Ethan Migliori made a motion to deny an ambulance write-off request for Marin Campbell and send it to collections. The motion was seconded by Commissioner JR Nelson. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF AMBULANCE WRITE-OFF FOR MARVIN HANSEN.

Commissioner JR Nelson made a motion to deny an ambulance write-off request for Marvin Hansen and request that he make payments on the account. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF FEDERAL AID AGREEMENT FOR LOCAL AGENCY PROJECT BETWEEN UDOT AND EMERY COUNTY FOR SOUTH MOORE PHASE 10-F-1612(10)0

Merrill Johansen, Johansen & Tuttle Engineering reviewed a federal aid agreement for Local Agency Project between UDOT and Emery County for South Moore Phase 10-F-1612(10)0. Commissioner Ethan Migliori made a motion to approve a Federal Aid Agreement for Local Agency Project between UDOT and Emery County for South Moore Phase 10-F-1612(10)0. The motion was seconded by Commissioner JR Nelson. The motion passed.

(11)

CONSIDERATION AND APPROVAL OF BLM ROW APPLICATION FOR PHASES II AND III OF THE HUNTINGTON CREEK RESTORATION PROJECT.

Jonathon Johansen, Johansen & Tuttle Engineering reviewed a BLM Right-Of-Way application for Phases II and III of the Huntington Creek Restoration Project. This ROW will allow access over BLM property. Commissioner JR Nelson made a motion to approve of BLM ROW application for Phases II and III of Huntington Creek Restoration Project. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(12)

CONSIDERATION AND APPROVAL TO ADVERTISE FOR SALE COUNTY OWNED
PARCEL 04-0051-0001

A citizen in Lawrence has requested the county sell a section of county owned property. This section of property would square off his property to utilize his wheel line irrigation. Attorney David Blackwell reviewed the process for selling county owned property. Letters must be sent to the adjoining property owners. There must be advertising for sealed bids listing the minimum acceptable bid. Commissioner JR Nelson made a motion to advertise for sale county owned property parcel 04-0051-0001 with a minimum acceptable bid. Sealed bids are to be delivered to the Clerk/Auditor's office by 5:00 pm on December 13, 2013 to be opened in Commission Meeting on December 17, 2013. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(13)

APPROVAL TO ADVERTISE FOR BOARD VACANCY ON EMERY COUNTY CARE AND
REHABILITATION BOARD OF DIRECTORS.

Commissioner Horrocks indicated that Richard Seely has resigned from the Emery County Care and Rehabilitation Board of Directors. He asked approval to advertise to fill the vacancy, preferably from the Green River area, after that open it up to others who may be interested. Commissioner Ethan Migliori made a motion to advertise to fill a vacancy on the Emery County Care and Rehabilitation Board of Directors. The motion was seconded by Commissioner JR Nelson. The motion passed.

(14)

CONSIDERATION AND APPROVAL OF AIRPORT INSURANCE RENEWAL WITH A 3
YEAR BINDER AGREEMENT.

Personnel Director, Mary Huntington reviewed the options for insurance for the Huntington Airport. Mary recommended renewal with a 3 year binder. The Commission was asked to consider whether to purchase a 1 million dollar policy for \$2,250.00 or a 2 million dollar policy for \$2,600.00. Commissioner JR Nelson made a motion to purchase the 1 million dollar policy for \$2,250.00 with a 3 year binder. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(15)

COMMISSION/ELECTED OFFICIALS REPORTS

Commissioner Nelson

Commissioner Nelson reported meeting with Four Corners Community Behavioral Health. the state is considering an expansion of Medicaid as a way to accommodate those who fall in the cracks between Medicaid and the Affordable Care Act. Four Corners could see a large increase in the patients that they will be able to treat. Commissioner Nelson reported on attending a BLM, PacifiCorp, Emery Water Users meeting where they discussed the importance of water management by Emery County people. He reported on Drug Court and the positive impact it is having on the communities. Local employees have had struggles to find employees who test clean. The employers are looking at Drug Court for employees who are tracked and tested regularly. He reported on the continuing efforts to lower natural gas hook-up fees on new construction in rural areas as compared to urban area fees. He expressed concern for the cost of renovations at Millsite Dam. Millsite is one of the few dams in the state that is not federally owned. The renovations are expected to raise the spillway by four feet, enlarge it and make it structurally sound. They will also dredge the lake for silt to restore the lake to its original storage capacity. He commended the Emery County Libraries for being ahead of the curve when it comes to electronic technology and availability. He stated he was pleased with the recent Wellness Clinic and the great benefit it is to county employees . The Senior Aging and Nutrition is in a bit of limbo at this time due to the retirement of the director. His work is being absorbed by three people at this time but moving along well.

Commissioner Migliori

Commissioner Migliori reported on the recent Coal Symposium where they addressed new technology being used in coal production making using coal more efficient. New developments allow coal to be used more efficiently and opens new possibilities that were previously unavailable. He expressed the importance of keeping the industry strong. Emery County Care and Rehabilitation Center is continuing to work through their concerns. The Trails Committee is currently working on a GPS project to map and document hiking and non-motorized trails. The Museum of the San Rafael has adjusted their hours for the holidays to accommodate the visitors in the county during the holiday season. They will place displays in the Museum to promote visiting the Pioneer Museum. He reported on the progress of meeting with Johansen and Tuttle Engineering regarding the Huntington Complex Improvement Project.

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Commissioner Horrocks

Commissioner Horrocks reported on Association of Local Governments funding discussions due to the loss of federal funds. They will need to rearrange things in order to continue to fund senior programs. Conductive Composites, a company that specializes in metal fabrication is looking into the possibility of relocating in Cleveland. Emery County Archives received a donation of over \$10,000.00 from Mike Kelsey to purchase scanners and computers.

(16)

ADJOURNMENT

The meeting was adjourned.

ATTEST:_____ COMMISSIONER:_____